REMARKS

This paper is responsive to the non-final Office Action mailed April 16, 2007.

Applicants are grateful to the Examiner for fully considering the response filed January 12, 2007, and withdrawing the rejections under 35 U.S.C. § 102(e) as applied to claims 1-6.

Claims 1-15 are pending in this application. Claims 1-12, 14 and 15 stand rejected, and claim 13 has been objected to.

Upon entry of this paper, claims 1-15 will remain pending in this application. No new matter has been added by this amendment.

CLAIM REJECTIONS – 35 U.S.C. § 103

Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6,707,381 to Maloney in view of US Patent 5,379,184 to Barraza et al.

With regards to claim 1, the Examiner states Maloney discloses a file cabinet having within a number of containers having file drawers, a mechanical lock having position to unlock/lock (FIG. 1, item 30), biometric scanner, a computer processor for storing and comparing from previously stored biometric data, and thus allowing access to the file cabinet when there is a match as stated at Col. 6, lines 30-47, Col. 6, lines 55-64, and Col. 13, lines 43-66. The Examiner acknowledges Maloney does not specifically disclose the housing, the file drawer mounted within the housing, the drawer movable from first position and second position outside so as to allow access to contents of the drawer, a mechanical locking movable between locked position where the drawer is unopenable to unlocked position where the drawer is openable. Barraza et al. has been cited as disclosing the housing (FIG. 6C, item 11), file drawer movable from first position inside of housing (FIG. 6E, item 13) and second position extending outside housing (FIG. 6E, item 20), mechanical locking of drawer movable from locked position (FIG. 6A, item 11D) that is unopenable to unlocked position where the file drawer is openable (FIG. 6E, item 11D). The Examiner states it would be obvious to include a housing containing

drawers that is movable from lockable to unlockable position in the invention of Maloney in order to cabinet having many drawers that are lockable as taught in Col. 11, lines 44-49.

Claim 1 of the instant application recites, in part, a file cabinet comprising:

> "...an actuator operatively coupled to said processor and to said means for mechanical locking, whereby... said computer processor causes said actuator to move said means for mechanical locking from a locked position to an unlocked position... and thereby allow access to the inside of the file cabinet"

As can be seen, the file cabinet of the instant application comprises a computer operated actuator as the means for mechanically locking and unlocking the file cabinet. Once the file cabinet is unlocked, the operator can then access the inside of the file cabinet for storing and/or retrieving the contents thereof. As has been stated, the unlocking of the drawer is under computer control and as determined by the validity of the scanned biometric data of the operator requesting access.

In contrast thereto, Maloney does not teach any computer controlled locking mechanism. Item 30 in FIG. 1 of Maloney is a keyed locking mechanism which is not operatively connected to any computer. As such, the locking mechanism requires a key for manually locking and unlocking the apparatus. The computer system taught by Maloney merely functions as a conveyor system for moving the drawers from one position or location to another. The only reference to item 30 provided by Maloney is at Col. 6, lines 46-47: "The cabinet is provided with a lock 30 for securing the cabinet in its closed position." There is no other reference to lock 30.

Similarly, Barraza et al. do not teach a drawer having a computer controlled lock operable between a locked and an unlocked position for controlling access to the contents of the drawer. However, what Barraza et al. do appear to teach is the locked/unlocked state of the handle used for pulling out and/or pushing in the drawer to which the handle is attached. For example, at Col. 14, lines 40-42, Barraza et al. teach "...Once release-command is given to the solenoid, the handle is released and kicked-out (set ajar)...", continuing at Col. 14, lines 46-49 "...The handle is then easily grasped by the user and rotated upward. This upward rotation cams the drawer (pries it) out and away from its connectors in the backplane...", and concluding at Col. 14, line 53: "...This handle thus cams its drawer in and out." The Examiner's citation of the description at Col. 11, lines 44-49 in Barraza et al. merely refers to the actuation of a

microswitch for indicating that drawer 20 is fully inserted into its rack, and as such does not provide any function and/or serve any purpose for securing and controlling access to the contents of drawer 20. A thorough review of Barraza et al. with particular attention to the figures and descriptions cited by the Examiner does not provide any desire or motivation for securing and controlling access to the contents of a drawer using a computer operated locking mechanism for locking and/or unlocking the drawer.

As can be seen, Maloney teaches a computer controlled conveyor system for moving drawers between one or more positions; and Barraza et al. teach a computer operated handle for aiding in pulling out and/or pushing in a drawer from a rack. Neither of these references cited by the Examiner, either individually and/or in combination, teach and/or provide any motivation for securing and controlling access to the contents of a drawer in a file cabinet.

In view thereof, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) as applied to claims 1 and 2 is respectfully solicited.

The Examiner rejected claim 2 on the basis that Maloney discloses a vertical lock movable from unlock and lock positions as item 30 in FIG. 1.

As previously discussed, item 30 in FIG. 1 of Maloney is merely a keyed lock which requires a key for locking and locking. It is not operated and/or controlled by the computer. The only reference to item 30 provided by Maloney is at Col. 6, lines 46-47: "The cabinet is provided with a lock 30 for securing the cabinet in its closed position." There is no other reference to lock 30.

In contrast thereto, the lock of the instant application is operated by the computer. Therefore, claim 2 is clearly patentable over Maloney.

Claims 3-6, 8-12 and 14-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6,707,381 to Maloney in view of US Patent 5,379,184 to Barraza et al. and further in view of US Patent 5,707,770 to Cook et al.

Regarding claim 3, the Examiner acknowledges Maloney does not disclose the solenoid coupled to the hook. However, Cook et al. is cited as disclosing the solenoid coupled to the lock as described at Col. 1 line 64 through Col. 2 line 6. The Examiner states it would be obvious to include a solenoid lock in the invention of Maloney in order to use commonly available electronic locking system.

As previously discussed, Maloney merely teaches a computer controlled conveyor system for moving drawers between one or more positions. And, the Examiner's citation of Cook et al. is in reference to FIGS. 2 and 4, which figures and the detailed descriptions thereof reveal a locking system requiring the user to provide a card having a fingerprint thereon for comparison with the user's scanned fingerprint for determining whether or not access should be granted to the gun safe. As can be seen, Cook et al. neither teach nor provide any motivation for using a computer having stored fingerprint data for comparison with the scanned fingerprint.

Therefore, claim 3 is clearly patentable over Maloney in view of Cook et al.

The Examiner rejected claim 4 on the basis that Maloney discloses the interval of time for access being user defined as stated at Col. 14, lines 44-51.

Claim 4 of the instant application indirectly depends from independent claim 1. As discussed in the foregoing, claim 1 is clearly patentable over Maloney. In view thereof, claim 4 is patentable over Maloney at least for the reason that it depends from an allowable base claim.

Regarding claim 5, the Examiner acknowledges Maloney does not teach the horizontal bar for lock and unlocking the cabinet. However, Cook et al. is cited as disclosing the horizontal locking bar shown as item 28 in FIG. 2. The Examiner states it would be obvious to include the horizontal locking bar in the invention of Maloney to make the vertical surface dedicated for the door as taught in FIG. 1 item 4.

As previously discussed in reference to claim 3, Maloney merely teaches a computer controlled conveyor system for moving drawers between one or more positions. And, Cook et al. neither teach nor provide any motivation for using a computer having stored fingerprint data for comparison with the scanned fingerprint.

Therefore, claim 5 is clearly patentable over Maloney in view of Cook et al.

The Examiner rejected claim 6 on the basis that Maloney discloses the motor being used for unlock bar as described at Col. 10, lines 5-10.

As previously discussed in reference to claim 3, Maloney merely teaches a computer controlled conveyor system for moving drawers between one or more positions. Maloney does not teach using computer for locking and unlocking purposes.

Therefore, claim 6 is patentable over Maloney.

Regarding claim 8, the Examiner acknowledges Maloney fails to disclose the mechanical locking means having locked and unlocked positions. However, Barraza et al. is cited as disclosing the mechanical locking means having locked and unlocked positions as shown in FIGS. 13A-13C. The Examiner states it would be obvious to include the mechanical locking means having locked and unlocked positions to a physical lock addition to biometric lock..

As has been discussed, Maloney teaches a computer controlled conveyor system for moving drawers between one or more positions; and Barraza et al. teach a computer operated handle for aiding in pulling out and/or pushing in a drawer from a rack. Neither of these references, either individually and/or in combination, teach and/or provide any motivation for combining as stated by the Examiner.

Therefore, claim 8 is patentable over Maloney in view of Barraza, et al.

The Examiner rejected claim 9 on the basis that Maloney discloses the visual indicator of locked and unlocked positions as shown in FIG. 1 item 30. Claim 10 was rejected on the basis that Maloney discloses the use of fingerprint and iris scanners at Col. 6, lines 42-47. Claim 11 was rejected on the basis that Maloney discloses the locking after predetermined period of time at Col.14, lines 48-51. The Examiner rejected claims 12 and 14 on the basis that Maloney discloses the locking of drawers so that one drawer can only be opened and being placed on the conveyor and all container contents as described at Col. 14, line 13-28. Claim 15 was rejected on the basis that Maloney discloses the individualized compartments shown in FIG. 2A.

As previously discussed, Maloney merely teaches a computer controlled conveyor system for moving drawers between one or more positions. Maloney does not teach using computer for locking and unlocking purposes. Item 30 in FIG. 1 is merely a keyed lock which requires a key for locking and locking, and which is not operated and/or controlled by the computer. The fingerprint and iris scanners taught by Maloney are for determining whether or not the person has access privilege, and not for locking or unlocking the drawers.

In view thereof, claims 9-12, 14 and 15 are patentable over Maloney. Claims 9-12, 14 and 15 are further patentable over Maloney at least for the reason that each depends directly or indirectly from an allowable base claim.

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6,707,381 to Maloney in view of US Patent 5,379,184 to Barraza et al. and further in view of US Patent 4,637,667 to Reid et al. The Examiner acknowledges that neither Maloney nor Barraza et al. disclose a lock bar that stays in unlocked position until the processor causes the cam to lower the lock bar. However, Reid et al. is cited as disclosing the bar being moved into the position from unlocked to locked positions as described at Col. 5, lines 25-41. The Examiner states it would be obvious to include the bar being moved into the position from unlocked to locked position in the invention of Maloney in order to prevent premature closing as taught in Col. 5, lines 29-41.

Maloney teaches a computer controlled conveyor system for moving drawers between one or more positions; and Barraza et al. teach a computer operated handle for aiding in pulling out and/or pushing in a drawer from a rack. Additionally, Reid et al. teach a mechanism for preventing the simultaneous opening of more than one drawer such that only one drawer can be opened at a time, and the open drawer must be shut before a different drawer can be opened or the same drawer reopened. None of these references cited by the Examiner, either individually and/or in combination, teach and/or provide any motivation for securing and controlling access to the contents of a drawer in a file cabinet as stated by the Examiner.

Therefore, claim 7 is patentable over Maloney in view of Barraza et al. and further in view of Reid et al.

In view of the foregoing, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) as applied to claims 1-12, 14 and 15 is respectfully solicited.

ALLOWABLE SUBJECT MATTER

Claim 13 was objected to as being dependent upon a rejected base claim.

Claim 13 depends from independent claim 1, which base claim is believed allowable as discussed in the foregoing. Accordingly, withdrawal of the objection to claim 13 is solicited.

CONCLUSIONS

Upon entry of this paper, claims 1-15 will remain pending in the instant patent application. These pending claims are believed in condition for allowance. Reconsideration and withdrawal of the rejections and objection, and prompt passage of the application to allowance is respectfully solicited.

Respectfully Submitted,

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